

Floodplain Task Force Meeting Notes
January 7, 2002

Milan Wall called the meeting to order at 7:40 a.m. and reviewed the agenda, handouts and future meeting dates. Vicki Luther facilitated the polling and discussion of the draft statements related to New Growth Areas.

Members Present:

Mark Brohman
Foster Collins
Jim Cook
Bernie Heier
Candiss Kleen
Marilyn McNabb, Russell Miller, Patte Newman,
Coleen Sang, Clay Smith, Art Thompson

Members Absent:

Broce Bohrer
Bob Hampton
John Janovy, Jr.
Roger Severin
Kent Thompson

Polling Results related to recommendations for New Growth Areas only:

1. No Adverse Impact. No Adverse Impact is a concept that makes sense to adopt as a policy goal for the City of Lincoln.

Number agreeing: 10

Number disagreeing 0

Number needing more information: 0

I agree if: the phrase as measured by flood velocity, depth and effects on erosion and sedimentation is added

Discussion: Recommendations must specifically articulate that it applies in New Growth areas.

2. Flexibility of New Floodplain Standards. Criteria for 'grandfather' exceptions for existing development should be established, flexibility regarding new stream crossing structures and other public infrastructure should be allowed, and consideration should be given to the use of a mitigation concept for flood storage where applicable.

Number agreeing: 1

Number disagreeing 6

Number needing more information: 1) What criteria for flexibility and grandfathering; for what purpose? What would be grandfathered?

I agree if: new stream crossing structures were eliminated (same rules for public and private)

I agree if: flexibility regarding stream crossing is reworded or clarified

I agree if: remove phrase on flexibility and net gain on mitigation is defined (2 people)

Discussion: public infrastructure should adhere to the standards. What does flexibility mean? Rewrite to clarify we are talking about existing growth in new growth areas; add language of built environment and new growth

3. Surplus/Vacated Floodplain Property Policy. The City should continue a policy for maintaining flood storage on surplus/vacated property in the floodplain and continue to allow flexibility regarding the storage area.

Number agreeing: 7

Number disagreeing 0

Number needing more information: 0

I agree if: if language from the Comprehensive Plan's Greenprint Challenge is added so that stream corridors are protected, habitat is protected, anything in the floodplain should not be surplusd out unless the beneficial aspects for protection are preserved ((2 people)

I agree if: anything in the floodplain should not be surplusd out unless the beneficial aspects for protection are preserved (2 people)

Discussion: what would happen if state property or other publicly owned property was surplusd?

4. Floodplain Buyout Program. The City should have a proactive floodplain buyout program with dedicated funds, criteria for minimizing impacts to neighborhoods and historic districts, consideration given to the use of eminent domain, and strategies used to develop contiguous open space.

Number agreeing: 6

Number disagreeing 0

Number needing more information: 0

I agree if: the recommendation addressed the concern about the phrase dedicated funds (2 people)

I agree if: take out the phrase dedicated funds

I agree if: remove proactive

I agree if: take out proactive and dedicated funds

I agree if: eminent domain is used only as a last resort

5. No Net Rise/Compensatory Storage Standard. A No Net Rise and Compensatory Storage standard should be adopted.

Number agreeing: 10

Number disagreeing 0

Need more information: on cost of study. Staff need to get information on the cost of implementation of this recommendation.

Discussion: Difficult to have No Net Rise without allowing for Compensatory Storage also, and Compensatory Storage alone will not guarantee No Net Rise. The Lincoln Ballpark did not meet this standard, but did meet the standards identified in the Flood Insurance Study to preserve Salt Creek flood storage per item #9. Southeast High school did meet compensatory storage standard, and likely was close to meeting No Net Rise, though this was not measured. Recommendation needs to address net rise and compensatory storage not either or.

Need clarification on if the recommendation applies only to floodplain or to all run off. Get an engineer to speak to no-net rise and compensatory study costs for the study and to do the work.

6. Floodplain Development Fee. The City should charge a floodplain development fee.

Number agreeing: 2

Number disagreeing 2

Number needing more information: 6

- what would the charge be and how would it impact sustainability? (3 people)
- charge could be a funding source for easements, etc.
- charge could fund mapping and acquisitions (2 people)

Discussion: Need vision and attention to sustainability. We are using very inaccurate mapping and need to address the need for accurate mapping.

7. Stream Buffers. The 'Minimum Flood Corridor' or other stream buffer standard should be applied within the FEMA-mapped floodplains and along smaller stream corridors that do not have a delineated floodplain, with some impacts allowed if mitigated.

Number agreeing: 0

Number disagreeing 0

Number needing more information: 0

I would agree if: any mitigation is designed to increase protection (10 people agree)

Discussion: Current stream corridor policies only applies outside the FEMA-mapped floodplain. Need other examples of buffer widths, and how these compare with floodplain widths, if 'minimum flood corridor' standard is applied to mainstem streams like Salt Creek or Stevens Creek.

8. Best Management Practices. Special 'Best Management Practices' such as swales, water quality wetlands, retention cells, etc. should be required in floodplain areas.

Number agreeing: 0

Number disagreeing 0

Number needing more information: 0

I would agree if: there was no etc. and the possibilities were all listed (6 people)

I would agree if: it specified for residential not commercial or industrial

I would agree if: there was an augmentation on how best practices are part of the total floodplain management system, so the pieces all fit

I would agree if: the practices listed are prioritized with the potential to change them as best management practices evolve and improve over time.

Discussion: Staff will line out possibilities. Also there is a need to link best construction/building practices, which should be articulated. For example, leaving an area low with flood gates versus filling it. Again, there is the sustainability issue; how we afford all this?

9. Salt Creek Flood Storage Areas. Specific flood storage areas identified in the City of Lincoln Flood Insurance Study for Salt Creek should be reflected in the ordinance.

All agreed to hold this one for discussion on statements related to the built environment.

10. Building Construction Standards. Buildings should be protected to an elevation greater than 1 foot above the 100-year flood elevation and the City's substantial improvement threshold should be applied on a cumulative basis.

Number agreeing: 6

Number disagreeing 2

Number needing more information: 0

I would agree if: you remove the cumulative basis

Pass: 1

Discussion: We are using inaccurate data to make determinations. Current status is that someone can repeatedly make improvements to a structure without bringing it into compliance with floodplain regulations by increasing by 49% of the value, then 49% then 49% again and again. This policy would better meet the intent of the standard by cumulatively tracking the improvements to insure the 50% threshold was met. This policy makes it difficult for people to

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make investments if they can't add on to a building. There is an issue with putting people out of business. There is a problem with existing mapping. The substantial improvement issue may need to be separated from the issue of whether to elevate structures greater than 1 foot. There is also a concern about balance with the water issue and with floodplain creep. One foot is not germane anymore.

11. Cluster Development.

- a. There should be additional incentives for cluster development in the floodplain.

Number agreeing: 3

Number disagreeing 0

Number needing more information: 0

I would agree if: the incentives were clearly for clustering outside of the floodplain to reduce impact

I would agree if: clustering incentives are used to move development out of the floodplain (4 people)

I would agree if: there is predictability -no untoward applications

Discussion: We don't want to build in the floodplain. We want to allow for expansions into other areas or zones or increase incentives. Incentives could apply to both residential and industrial.

- b. Cluster development should be required in the floodplain.

Group decided not to take a poll on this issue because it didn't make sense to the group.

12. Best Available Study Information.

- a. Ties between the watershed master plans for the City of Lincoln should be strengthened in the zoning and subdivision ordinances and development proposals should be compatible;

Number agreeing: 4

Number disagreeing 0

Number needing more information: 0

I would agree if: this recommendation reflects the best available information, but not particular or specific capital project solutions. (4 people)

I would agree if: we are cautious about how it is written. Best information must be available to all.

Discussion: Best information is a moving target. We want to limit future mistakes. Information should be more available. We should avoid making it all too complicated.

- b. New floodplain standards should apply to the 100-year flood limits that are required to be shown with new subdivision proposals along smaller tributaries;

Number agreeing: 9

Number disagreeing 0

Number needing more information: 0

- c. Standards should be based upon a "future conditions" floodplain when the information is available through master planning.

Number agreeing: 8

Number disagreeing 1

Number needing more information: 0

Discussion: There is a question of information and how we determine the future condition. Will standards be applied consistently? There is potential for adverse impact and may create uncertainty across the

market. The market is behind, but no mapping puts us farther behind.
Outside, zoning can help.